

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8-30-2023

GAYLE JENTZ, on behalf of herself
individually an behalf of all others similarly
situated,

Plaintiff,

v.

TEACHERS INSURANCE AND ANNUITY
ASSOCIATION OF AMERICA,

Defendant.

Case No. 1:23-cv-06944

STIPULATION AND ~~PROPOSED~~ ORDER

WHEREAS the two actions, *Jentz v. Teachers Insurance and Annuity Association of America* (“TIAA”), No. 23-cv-06944 and *Lopez v. TIAA*, No. 23-cv-06956 (together the “Related Actions”) are related, stemming from the same alleged incident, and present common questions of law and fact;

WHEREAS, *King v. TIAA*, Case No. 23-cv-7407, *Smuda v. TIAA*, Case No. 23-cv-7020, and *Anderson v. TIAA*, Case No. 23-cv-7437 (together the “Additional Related Actions”), are also related to *Jentz*, stem from the same incident, and present common questions of law and fact;

WHEREAS Federal Rule of Civil Procedure 42(a) provides that the Court may order that actions be joined or consolidated in whole or in part if they involve “a common question of law or fact,” Fed. R. Civ. P. 42(a);

WHEREAS the parties in all five matters have conferred and jointly request that the Related Actions and Additional Related Actions be consolidated;

IT IS ACCORDINGLY STIPULATED AND AGREED that:

- The Related Actions will be consolidated.
- Upon being related and assigned to the same judge as the Related Actions, the Additional Related Actions will be ordered consolidated with *Jentz* and *Lopez*.

- Within 14 days of consolidation of all five cases, the parties will file with the Court a case schedule that sets forth deadlines for an amended, consolidated complaint; TIAA's responsive pleading; and appointment of interim lead class counsel.

Dated: August 29, 2023

By: /s/ Gary M. Klinger

Vicki J. Maniatis
MILBERG COLEMAN BRYSON PHILLIPS
GROSSMAN, PLLC
100 Garden City Plaza, Suite 500
Tel: (865) 412-2700
vmaniatis@milberg.com

By: /s/ Marc R. Shapiro

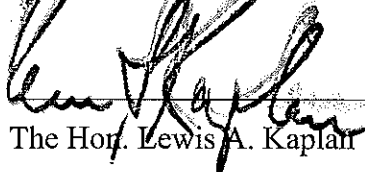
Marc R. Shapiro
ORRICK, HERRINGTON & SUTCLIFFE LLP
51 West 52nd Street
New York, NY 10019-6142
Tel. (212) 506-5000
Fax. (212) 506-5151
mrshapiro@orrick.com

Gary M. Klinger*
MILBERG COLEMAN BRYSON PHILLIPS
GROSSMAN LLC
227 W. Monroe Street, Suite 2100
Chicago, IL 60606
Phone: (866) 252-0878
gklinger@milberg.com

*Attorneys for Defendant
Teachers Insurance and
Annuity Association of America*

**Pro Hac Vice Application Forthcoming
Counsel for Plaintiff Gayle Jentz and the
Proposed Class*

IT IS SO ORDERED this 30th day of August, 2023


The Hon. Lewis A. Kaplan

United States District Judge